

Response to Office Action mailed May 15, 2007  
U.S. Application No. 10/628,214

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REMARKS

**Claims Rejections - 35 USC Section 102**

Claims 1, 4, 5, 8-10, 13, 14, 17, 19, 21-23, and 26 were rejected as anticipated over Schultz et al. US Patent No. 6,536,530 ("Schultz"). Schultz was cited for a system having two valves operating over a designated pressure interval to independently actuate a sequenced set of events by one or more downhole tools based on the application of fluid pressure to the valves. Applicants respectfully traverse because Schultz does not actuate a sequenced set of events based on the application of pressure to the two or more valves; rather, Schultz merely accomplishes one downhole event for each application of fluid pressure.

The Office Action refers to Schultz at column 3, lines 60-64 as a disclosure of a sequenced set of events responsive to a fluid pressure application. However, that excerpt merely describes the fluid flow applicable to each of the sets of valves associated with each of zones 26, 28, 30, and 32. A sequenced set of events by a downhole tool (or more than one tool) is not accomplished. Rather, application of fluid pressure to any pair of valves described by Schultz results in only one downhole tool operation. See also Schultz at column 4, lines 9-13 wherein Schultz teaches that the actuator (a pump in this case) could also "be that of another type of well tool...." This confirms that each set of valves operates a single tool by a single application of pressure. See also Schultz at column 5, lines 13-15.

The present invention is disclosed to result in a sequenced set of events such as is given in claim 15, all from the application of pressure to one set of two or more valves. See also claim 16 for other operations that can be in the sequence from one application of fluid pressure.

The difference in Schultz and the present invention is understandable because the system of Schultz is designed for *completion* operations whereas, the present invention, while being possible for completion operations, was originally designed for *intervention* operations.

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In the system of Schultz, the operator must decide what operation is to be accomplished, decide which set of valves controls that single event, and apply the appropriate pressure range to actuate the appropriate valves.

In the present invention, a "smart" operator is not required. Where a well needs intervention, the system is installed downhole and the operator merely brings the system up to pressure. All of the sequenced set of events occur from the single application of pressure to the valves of the inventive system. Thus, when the operator applies pressure to the deployed downhole system, the sequence of events follows: e.g., perforation, positioning and sealing of the packer, pumping of treating fluid, and repeating as programmed by the fluid system -- all from one actuation of fluid pressure to the at least two valves.

Although the Examiner correctly pointed out various sections of Schultz that disclose individual valves and features of claims 4 and 8, actuation of a sequenced set of events based on fluid pressure to system valves is not disclosed in the reference. Reconsideration and withdrawal of the 35 USC Section 102 rejection is respectfully requested.

#### **Claims Rejections - 35 USC Section 103(a)**

Claims 2, 3, and 18 were rejected over Schultz alone; claims 6, 7, and 20 were rejected over Schultz in combination with Marangoni et al; similarly claims 11 and 24 were rejected over Schultz in combination with Stone; claims 12 and 25 were rejected over Schultz in combination with Patel; and claims 15 and 16 were rejected over Rytlewski et al in view of Schultz. The rejections correctly point out features of cartridge valves, electrical device operation, hydraulic fluids and screens, burst disks, and various intervention steps; however, none of the references teaches or suggests independent actuation of a sequenced set of events by downhole tools, based on fluid pressure application to valves of the system. Even if the cited combinations were made, there would still be no skilled artisan motivation from the references to operate multiple downhole tool steps from a single pressure application.

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Reconsideration, withdrawal of the rejection, and allowance of the claims is respectfully requested.

Respectfully submitted,

  
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I hereby certify that this correspondence is being transmitted via facsimile to Examiner Bomar, United States Patent and Trademark Office at (571) 273-8300 on August 15, 2007.

  
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